

Patent  
Docket No: 54404US008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

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Group Art Unit:

Continuation Application of Serial No. 09/235,720

Filed: January 22, 1999

Examiner: To Be Assigned

Serial No.: To Be Assigned

Filed: Herewith

For: MEDICAL ARTICLE HAVING FLUID CONTROL FILM

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Please enter the following Preliminary Amendment prior to examination of the application.

**IN THE CLAIMS**

Please cancel claims 1-35.

Please add the following new claims:

36. (New) A medical treatment article comprising:  
at least one fluid control film component having at least one microstructure-bearing surface with a plurality of channels therein that permit transport of fluid between a medical treatment site and a remote area.
37. (New) The article of claim 36 wherein the article is a wound dressing, wound drain, tympanostomy fluid wick, intravenous access site dressing, drug delivery dressing, surgical drape, or sweat collection patch.
38. (New) The article of claim 36 wherein the remote area comprises a fluid reservoir.

39. (New) The article of claim 36 wherein the channels have a cross-sectional geometry comprising V-shaped channels, rectangular-shaped channels, or a combination V- and rectangular-shaped channels.

40. (New) The article of claim 36 wherein the fluid control film component comprises a plurality of primary channels having at least two secondary channels, each of the secondary channels forming at least one notch, wherein the primary channels have a depth of from 50 to 3000 microns and the depth of the secondary channels is from 5 to 50 percent of the depth of the primary channels.

41. (New) The article of claim 36 wherein the channels have an included angle between about 10 degrees and about 120 degrees.

42. (New) The article of claim 36 wherein the channels are between about 5 and about 3000 microns deep.

43. (New) The article of claim 36 wherein the channels comprise a thermoplastic material selected from the group consisting of polyolefins, polyesters, polyamides, poly(vinyl chloride), polyether esters, polyimides, polyesteramides, polyurethanes, polyacrylates, polyvinylacetate, hydrolyzed derivatives of polyvinyl acetate and combinations thereof.

44. (New) The article of claim 36 wherein the channels comprise a thermoset material selected from the group consisting of polyurethanes, acrylates, epoxies and silicones.

45. (New) The article of claim 36 wherein the channels comprise a pressure sensitive adhesive material.

46. (New) The article of claim 36 wherein the article is a combined wound dressing and wound drain, and the fluid control film component is adapted to be inserted into the medical treatment site.

47. (New) The article of claim 36 wherein the fluid control film component is adapted to supply a medicament from the fluid reservoir to the medical treatment site.

48. (New) The article of claim 36 further comprising a backing layer positioned to overlie the fluid control film component and the remote area:

wherein the backing layer comprises an adhesive to adhere the article in position for fluid transfer communication with the medical treatment site.

49. (New) The article of claim 36 wherein the article is adapted for visual observation of the site through at least a portion of the fluid control film component.

50. (New) The article of claim 49 wherein the fluid control film component is at least translucent.

51. (New) A method of using a medical article comprising at least one fluid control film component having at least one microstructure-bearing surface with a plurality of channels therein that permit transport of fluid between a medical treatment site and a remote area, the method comprising:

placing the medical article in proximity to a medical treatment site so that the fluid control film component is capable of providing fluid communication between the medical treatment site and the remote area; and

allowing the medical treatment article to transport fluid between the medical treatment site and the remote area.

52. (New) The method of claim 51 wherein fluid is transported from the medical treatment site to the remote area.

53. (New) The method of claim 52 wherein the remote area comprises a fluid reservoir.

54. (New) The method of claim 53 wherein the fluid reservoir comprises an absorbent material.

55. (New) The method of claim 51 wherein fluid is transported from the remote area to the medical treatment site.

56. (New) The method of claim 52 wherein the fluid comprises a medicament.

57. (New) The method of claim 56 wherein the medicament comprises an antimicrobial, an antiseptic, an analgesic, a vitamin, a steroid, a growth factor, a nutrient, a flushing solution, or any combination of any of the foregoing.

58. (New) The method of claim 51 wherein fluid is transported from the medical treatment site to the remote area and from the remote area to the medical treatment site.

59. (New) The method of claim 51 further comprising visually observing the medical treatment site.

60. (New) The method of claim 59 wherein at least a portion of the medical treatment article is transparent and the step of visually observing the medical treatment article comprises visually observing the medical treatment site through the transparent portion of the medical treatment article.

#### Remarks

The present application is a continuation application of U.S. Ser. No. 09/235,720, filed January 22, 1999.

Claims 1-35 are in the application. Claims 1-35 have been canceled.

Claims 36-60 have been added.

Claims 36-60 are under consideration.

The new claims are supported throughout the specification. In particular, claims 36-38, 46, and 51-53 are supported by the specification at page 5, line 22 through page 6, line 24 and page 38, lines 13-31. Claims 39-42 are supported by the specification at page 15, line 18 through page 19, line 16. Claims 43-45 are supported by the specification at page 10, line 13 through page 11, line 6. Claims 47 and 55-58 are supported by the specification at page 35, lines 15-20. Claim 48 is supported by the specification at page 35, line 1 through page 36,

line 1. Claims 49, 50, 59 and 60 are supported by the specification at page 6, line 18 through page 7, line 1. Claim 54 is supported by the specification at page 31, line 19 through page 32, line 7.

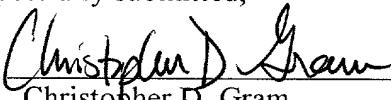
Applicants submit that subject matter the pending claims is novel and nonobvious and, therefore, patentable. Thus, favorable action on the pending claims is kindly solicited.

### CONCLUSION

Entry of the foregoing preliminary amendment prior to substantive examination is kindly requested. Examination and allowance of the pending claims is respectfully requested.

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Respectfully submitted,

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